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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,544	11/24/2003	Hung-Yang Chang	YOR920030493US1	1272
30743 7590 12/23/2008 WHITHAM, CURTIS & CHRISTOFFERSON & COOK, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190				
EXAMINER RICEK, JASON D				
ART UNIT		PAPER NUMBER		
2442				
MAIL DATE		DELIVERY MODE		
12/23/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/718,544

**Applicant(s)**

CHANG ET AL.

**Examiner**

JASON RECEK

**Art Unit**

2442

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8, 10, 14 and 20-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8, 10, 14, 20-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

### **DETAILED ACTION**

This is in response to the RCE filed on September 19th 2008.

#### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/19/08 has been entered.

#### ***Status of Claims***

Claims 8, 10, 14 and 20-23 are pending, of which claim 8 is in independent form.

Claims 8, 10, 14 and 20-23 are currently rejected under 35 U.S.C. 103(a).

#### ***Response to Arguments***

2. Applicant's arguments filed 9/19/08 have been fully considered but they are not persuasive.

Applicant argues that Ruths does not contemplate a user gaining access to other resources in his or her context without having to switch to a different collaboration application as required by claim 8 (pg. 7). This argument is not persuasive. Applicant indicates that the Specification provides an example of a user having two contexts, project A and project B in his development environment (arguments pg. 6). Ruths also discloses this as a user having multiple projects in an environment. In paragraph 137, Ruths teaches a client viewer that displays one or more images. Each image may be considered a collaboration project. Since they are displayed in the same application (Fig. 28) the user is able to switch projects (contexts) without leaving the environment. Thus, Ruths discloses the limitation of claim 8 that requires the ability to switch contexts without leaving the development environment.

Applicant also argues that Ruths and Danso do not show "capturing a user action in a development environment and determining a context associated with said user action" or "displaying in a graphical user interface display window content of a collaboration space relevant to a current developer context" (pg. 7). However this statement appears to be conclusory and no argument is given why the sections cited in the rejection are insufficient for showing these features. Please see the rejection below for more information.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 8, 10, 14 and 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruths et al. US 2003/0018719 A1 in view of Danso US 2003/0167344 A1.

Regarding claim 8, Ruths discloses "creating a context ... and adding or deleting a resource and a relationship" as a collaborative platform which creates collaborative environments and manages data objects (paragraph 49), "enabling a user to create a collaboration space" as entering into collaborative groups (paragraph 85), "to associate the collaboration space with a context" as a participant may use the collaboration for multiple purposes, including adding resources (paragraph 85), "to perform adding, editing, and deleting a collaboration member" as adding and removing connection IDs and choosing which participants should receive data (paragraph 151), "said collaboration space containing a role player" as a classroom environment would necessarily have roles, at least a teacher and a student (paragraph 138), "capturing a user action in a development environment and determining a context associated with said user action" as capturing changes to data and updating changes to participants (paragraph 88), "displaying in a graphical user interface window content of a

collaboration space" as an application for viewing and manipulating collaboration objects (paragraph 52), and "allowing a first user to communicate with one or more other users and to gain access to resources in the context said first user is working in without said first user having to leave said first user's development environment and without said first user having to switch to a different collaboration application" as a user communicating with another user via VOIP during collaboration (paragraph 137), note this portion of the claim only requires allowing users to "communicate" which is why the VOIP disclosed is sufficient, this portion of the claim does not recite communicate by discussion thread as it appears applicant may have intended based on pg. 8 of the arguments. Ruths also discloses "and to switch between contexts without leaving said first user's development environment" as a viewer (environment) which supports multiple images (projects) thus allowing users to switch between them without leaving the environment (paragraph 137).

Ruths does not explicitly disclose "said collaboration space containing ... a discussion thread" or "said current developer context including ... discussion threads". This feature can be clearly found in Danso US 2003/0167344 A1. Danso teaches that collaboration includes discussions and forums (paragraph 81).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ruths with the teachings of Danso for the purpose of improving collaboration. Using forums (discussion threads) to collaborate is well known in the art

(as evidenced by Danso) and yields predictable results. Such an improvement is nothing more than the predictable use of prior art elements according to their established function.

Regarding claim 10, Ruths discloses "a collaboration plugin to an integrated development environment that provides a user with tools for use in the development environment" as the collaboration platform allows existing applications to become collaborative (paragraphs 53-54) and "there being a collaboration plugin for each user workstation" as the platform may be implemented as a plug-in on each participant device (paragraph 59).

Regarding claim 14, Ruths discloses "managing a life cycle of one or more collaboration spaces" as a collaboration platform that allows a user to participate in collaboration (paragraph 57), "directing collaborative operations to external collaboration servers" as sending commands to a server that has the collaborative data (paragraphs 58, 89), and "servers including ... a team room server" as a classroom (paragraph 138).

Regarding claim 20, Ruths discloses "allowing the user to enable and disable context sensitivity and to open a collaboration space manually" as providing an abstraction of the resources thereby enabling different user views of the resources and allowing creation of a collaborative group (paragraph 85).

Regarding claim 21, Ruths discloses "the user action includes at least one of editing a file ..." as manipulating data (paragraph 52).

Regarding claim 22, Ruths discloses "said context is a project" as collaboration on a task (paragraph 49).

Regarding claim 23, Ruths discloses "managing the life cycle of collaboration spaces" as a collaboration platform that performs management functions (paragraph 80) and allows a user to participate in collaboration session (paragraph 57).

### ***Conclusion***

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chang et al. US 2001/0025299 A1 discloses using discussion threads to organize cooperative activity (paragraph 18).

Moser et al. US 2004/0107249 A1 discloses a collaboration with roles including a project leader who control permissions for other participants (paragraph 24).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON RECEK whose telephone number is (571)270-1975. The examiner can normally be reached on Mon - Thurs 8:30am-5:00pm.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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